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10 Lead Counsel for Plaintiffs

11 UNITED STATES DISTRICT COURT
12
13 NORTHERN DISTRICT OF CALIFORNIA

14 In re UTSTARCOM, INC. SECURITIES
LITIGATION

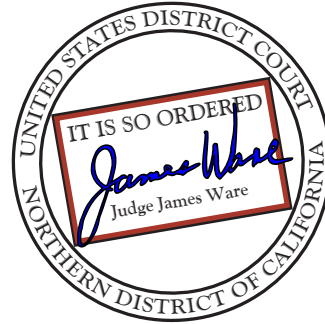
) Master File No. C-04-4908-JW(PVT)

) CLASS ACTION

15
16 This Document Relates To:

17 ALL ACTIONS.

) STIPULATION AND ~~[PROPOSED]~~ ORDER
) VACATING JANUARY 9, 2006 CASE
) MANAGEMENT CONFERENCE



1 WHEREAS, on October 26, 2005, the Court issued an Order Granting Lead Plaintiff's *Ex*
2 *Parte* Application to Stay Briefing on Motions to Dismiss ("October 26, 2005 Order");

3 WHEREAS, pursuant to the October 26, 2005 Order, the Court vacated the briefing schedule
4 and stayed all briefing on the superseded First Amended Complaint, but did not vacate the case
5 management conference, currently scheduled for January 9, 2006;

6 WHEREAS, pursuant to the October 26, 2005 Order, plaintiffs filed a Motion for Leave to
7 File the Second Amended Complaint ("Motion for Leave") with attached thereto plaintiffs'
8 [Proposed] Second Amended Consolidated Complaint for Violation of the Federal Securities Laws
9 on November 23, 2005;

10 WHEREAS, plaintiffs' Motion for Leave is currently scheduled for a hearing on February
11 13, 2006;

12 WHEREAS, the parties have met and conferred on these scheduling matters, and believe that
13 a case management conference at this stage of the case would be premature because of the pending
14 Motion for Leave;

15 NOW, THEREFORE, IT IS HEREBY STIPULATED, pursuant to Civil L. R. 16-2(e), Civil
16 L. R. 7-12 and subject to the Court's approval, that:

17 The Case Management Conference, scheduled for January 9, 2006, is vacated. The Court
18 shall set a case management conference after a ruling on the Motion for Leave has been issued, or as
19 it deems appropriate.

20 PURSUANT TO THE STIPULATION, IT IS SO ORDERED.

21 * * *

22 **ORDER**

23 IT IS SO ORDERED.

24 DATED: 12/28/05


THE HONORABLE JAMES WARE
UNITED STATES DISTRICT JUDGE

1 DATED: December 22, 2005

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Lead Counsel for Plaintiffs

14 I, Shirley H. Huang, am the ECF User whose ID and password are being used to file this
15 Stipulation and [Proposed] Order Vacating January 9, 2006 Case Management Conference. In
16 compliance with General Order 45, X.B., I hereby attest that Ronit Setton have concurred in this
17 filing.

18 DATED: December 22, 2005

CADWALADER, WICKERSHAH & TAFT
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26 I, Shirley H. Huang, am the ECF User whose ID and password are being used to file this
27 Stipulation and [Proposed] Order Vacating January 9, 2006 Case Management Conference. In
28

STIP & [PROPOSED] ORDER VACATING JAN 9, 2006 CMC - C-04-4908-JW(PVT)

1 compliance with General Order 45, X.B., I hereby attest that Robert A. Sacks have concurred in this
2 filing.

3
4 DATED: December 22, 2005

SULLIVAN & CROMWELL LLP
ROBERT A. SACKS

5
6 /S/

ROBERT A. SACKS

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8 1888 Century Park East, Suite 2100
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10 I, Shirley H. Huang, am the ECF User whose ID and password are being used to file this
11 Stipulation and [Proposed] Order Vacating January 9, 2006 Case Management Conference. In
12 compliance with General Order 45, X.B., I hereby attest that Terry T. Johnson have concurred in this
13 filing.

14 DATED: December 22, 2005

15 WILSON SONSINI GOODRICH & ROSATI,
16 P.C.
BORIS FELDMAN
TERRY T. JOHNSON
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18 /S/

19 TERRY T. JOHNSON

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DECLARATION OF SERVICE BY FACSIMILE

I, the undersigned, declare:

1. That declarant is and was, at all times herein mentioned, a citizen of the United States and employed in the City and County of San Francisco, over the age of 18 years, and not a party to or interested party in the within action; that declarant's business address is 100 Pine Street, Suite 2600, San Francisco, California 94111.

2. That on December 22, 2005, declarant served by facsimile the **STIPULATION AND [PROPOSED] ORDER VACATING JANUARY 9, 2006 CASE MANAGEMENT CONFERENCE** to the parties listed on the attached Service List.

3. That there is a regular communication by facsimile between the place of origin and the places so addressed.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 22nd day of December, 2005, at San Francisco, California.

/S/

CAROLINE A. WILEY

UTSTARCOM 04 (CA) (LEAD)

Service List - 12/22/2005 (04-0558C)

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